

Memorandum



Subject

Date

January 2, 1980

To Quinlan J. Shea, Jr.
Director, Office of
Privacy and Information Appeals

From Sol Lindenbaum
Office of Legal Counsel

SL

This is in response to your request for my comments on the memorandum entitled "Warren Commission Reports," that was written on April 30, 1975, by James R. Robinson, of the General Crimes Section, Criminal Division, to Carl W. Belcher, Chief of that Section.

I was aware of the task force headed by Carl Eardley that was established by Attorney General Ramsey Clark. For your information I am enclosing a copy of page 837 of the New York Times Index for 1969, which summarizes information printed in the Times about the work of the task force.

To the best of my recollection, the task force was charged with constituting the panel of medical experts and defraying its expenses; with arranging for access by the panel to the autopsy photos, reports, etc., other medical records, the clothing worn by President Kennedy when he was shot and any other physical evidence that the Government had; and with providing to the panel whatever additional evidence or information the Government had concerning the assassination that would be relevant to the panel's mission or it might request.

More particularly, I have no ^{of S.I.} knowledge that the task force was charged with reviewing "all the evidence"--if that phrase in Mr. Robinson's memorandum is read to encompass evidence not pertinent to the assignment of the medical experts--or that it prepared or helped prepare a report in addition to the report of those experts. As you will see from the summary in the Times Index, that report was made public by this Department in January 1969.

Attachment

KENNEDY, Edward M. (Mrs). See also Kennedy, E. M. JI 26-29:31. Negroes - NYC, Ap 11 in 1st Ap 11. NYC - City Planning etc - Bedford-Stuyvesant. NYC - Social Functions, Mr 13. Bus, Mr 13:38:2; Ap 11,32:2; attends Corcoran Ball, Washington, DC; illus, Ap 26,19:1; among 200 guests NYC party hon T C Sorensen and his fiancée G Martin, Je 12,55:1; illus, JI 23,1:2; Sen Kennedy's TV comment on fatal auto accident mentions that Mrs Kennedy could not attend annual Edgartown Sailing Regatta in which he participated for reasons of illness; Mrs Kennedy illus, Edgartown, JI 26,10:3; Mrs press aide confirms rept that Mrs Kennedy gave birth to another child in Feb, JI 27,49:5; Mrs Kennedy's marriage, Ap 29,15:3; leaves hosp, escorted by husband, Ap 31,12:8.

KENNEDY, Florence. See also Crime - US, Mr 7. Kennedy, Frederick J. Memorial Foundation. See Kennedy, Henry J. See also NYC - Elections - Kennedy, J. B. See also Atlantic Richfield Co, Mr 5. Kennedy, J. C. (Chmn). See also Missiles, Ag 23. Kennedy, Jefferson J. See also Schenley International Co, Mr 2.

KENNEDY, John F. Center for the Performing Arts (National Cultural Center) (Washington, DC). See Kennedy Theater - Festivals, Amer Coal Theater Trust Johnson apprs T H Kuchel and Mrs M Schenley trustees, Ja 12,73:5.

Kennedy, John Stevens and gen dir Blair discuss center's plans and prospects; note cost has risen to \$60-million, \$15-million above estimates; events for gala annual set for Dec '79 noted; center described; center's press aide confirms rept that Mrs Kennedy gave birth to another child in Feb, JI 27,49:5; Mrs Kennedy's marriage, Ap 29,15:3; leaves hosp, escorted by husband, Ap 31,12:8.

KENNEDY, John F. Center for the Performing Arts (National Cultural Center) (Washington, DC). See Kennedy Theater - Festivals, Amer Coal Theater Trust Johnson apprs T H Kuchel and Mrs M Schenley trustees, Ja 12,73:5.

Kennedy, John Stevens and gen dir Blair discuss center's plans and prospects; note cost has risen to \$60-million, \$15-million above estimates; events for gala annual set for Dec '79 noted; center described; center's press aide confirms rept that Mrs Kennedy gave birth to another child in Feb, JI 27,49:5; Mrs Kennedy's marriage, Ap 29,15:3; leaves hosp, escorted by husband, Ap 31,12:8.

Policies, Ja 5, Ap 21 in Ap 17 par. Ag 2,31, N 14. Book of mysterious origin accusing entire US power structure of complicity in assassination has spread through W Eur and is coming to US; book, called 'Forewell America in English' ed, says several dozen persons took part in plot and many more, including FBI, knew about it in advance of event; author listed as J Hepburn; R Lamarie, head of French co mktg book, affirms that J Hepburn is 'pretty much a pseudonym,' representing 'group of Eur and Amer researchers'; says ms was rejected by US publishers, apparently for fear of libel; number of prominent persons are accused in book; book holds Kennedy was 'condemned' by 'com' of Tex and La notables; shooting reptly was committed by band of professionals directly aided by Dallas police, Ja 1, 12:1; GSA says Natl Archives will resist efforts by New Orleans Dist Atty Garrison to subpoena autopsy photos and X-rays in trial of C L Shaw, scheduled to be tried in New Orleans on charge of conspiring to assassinate Kennedy; order served on Archivist Rhoads to appear in ct, Washington, DC, to answer Garrison's demand that items be made available as that Kennedy was struck by bullets fired from at least 2 directions and that fatal wounds were caused by Oswald alone shot Kennedy, Warren Comm holds that L H 16:4; Cuban propaganda film attaching Pres Johnson pictures him as being responsible for Kennedy death, Ja 12,65:3; Judge Haggerty denies defense motion to quash Garrison's charges against Shaw and for change of venue to move trial outside New Orleans, Ja 14,17:1; Garrison will not personally prosecute Shaw, Ja 15,24:2.

Internat Amateur Sports Development Fund to sponsor Kennedy Games, Lake Placid, NY, series of winter sports events hon late Pres Kennedy and late Sen R F Kennedy; site will probably be shifted elsewhere later, Ja 12,X,p16.

Panel of 4 med experts ctdpt by Atty Gen Clark to examine secret autopsy photos of Kennedy's body confirms Warren Comm conclusion that he was killed by 2 shots from behind; rept released by Justice Dept will be used by dept to try to block Dist Atty Garrison from subpoenaing photos from Natl Archives; Garrison charges material will bolster his trial against Shaw by showing that Kennedy was struck by bullets from front and rear; Kennedy family repr B Marshall approves release of rept; rept says bullet that entered Kennedy's neck at back left trail of his lung and windpipe and exited from front of his neck; this contradicts charges by some persons that front neck wound might have been entrance wound; rept says head wounds were caused by bullet that fragmented after entering from rear and to Kennedy's right; this produced explosive fracture of right side of skull as it emerged from head, wound that some persons say was caused by shot from front; Clark conducted original autopsy; experts who conducted study are Profs W H Carnes, R H Morgan, A R Murwitz, Md Chief Med Examiner Fisher; in its report, Justice Dept says it agrees with Kennedy family that autopsy material should not be seen by other than authorized Govt personnel until '71 and that material will be seen after that only by med experts or scholars; also released is 2d rept by autopsy drs citing error in original autopsy rept that created doubts that 1 bullet struck Kennedy from above and behind and exited from his throat; Garrison aide says rept does not satisfy them, Ja 17,1:8; text of discussion and summary of conclusions, Ja 17,17:1; subpoena autopsy X-rays and photos from Natl Archives; says he will reconsider if Garrison produces evidence that his subpoena is not 'fishing expedition'; says Justice Dept rept by 4 experts seriously questions Garrison's contentions; Garrison aide holds not have photo of entrance wound in front; Halleck witness law contention that under reciprocal interstate New Orleans, but cannot obtain physical evidence; Archives releases autopsy data; says Shaw will not be tried unless data are released, Ja 18,25:2; speculation after his office asks for indefinite delay in trial; announcement that his office is not ready for trial catches New Orleans by surprise in view of Garrison's past statements, Ja 19,27:1; Garrison's staff reverses self and withdraws request for trial delay, Ja 21,19:1; Shaw trial opens; jury selection begins; 17 witnesses subpoenaed by prosecution; defense; 6 overt acts in furtherance of conspiracy that prosecution alleges outlined; Garrison appears in ct, Ja 22,16:3; jury selection continues, Ja 23,55:1; Judge Haggerty arranges for up to 1,000 extra veniremen to be available; Garrison subpoenas 6 more witnesses, Ja 24,44:4; jury selection continues; Justice Dept to let

KENNEDY, John Fitzgerald (1917-63) - Cont

FBI photo analyst L L Shaneyfelt testify, Ja 25,30:6; trial adjourned to give time to summon additional jury panel, Ja 26,27:1; comment on trial and Garrison's charge against Shaw, Ja 26,14,2-3; jury selection continues, Ja 28,21:1; continues; prosecution subpoenas ex-Gov Connally as witness, Ja 29,18:4; selection continues, Ja 30,20:6; 11 jurors picked; jury panels exhausted; Haggerty orders more names drawn, Ja 31,18:5.

R F Kennedy book on Cuban missile crisis and Kennedy's handling of it revd; illus, Ja 19,VII,p1; rev, Ja 31,37:3.

Selection from Inaugural Address, Ja 21,22:1; Kennedy illus, Ja 28,12:1; M Shaw, White House photographer for Kennedy, dies, Ja 28,43:1.

Judge Halleck directs that he be informed by Feb 5 whether Garrison plans to show that Kennedy's death resulted from conspiracy involving Shaw before he rules on Garrison's effort to obtain autopsy photos and X-rays; jury selection continues; over 800 prospective jurors have been questioned since trial began, F 1, 25:1; 12th juror seated; Haggerty summons 150 more veniremen for questioning for 2 alternate places, F 1, 47:1; Garrison subpoenas color motion picture film of assassination made by A Zapruder, F 5,20:3; Garrison Orleans in summer of '63 by Shaw and others, including Oswald and D W Ferrie, opening statement; says it was planned at 2 parties, 1 in French Qr and 1 at Ferrie's apt; says evidence will show that Kennedy was shot from front, as well as from back, and that bullet from front was fatal one; says plan brought forth was that Kennedy would be killed with triangulation of cross-fire, with at least 2 gunmen, but preferably 3, shooting at same time; says plan was discussed in presence of P R Russo, who will be 1 of his main witnesses; defense denounces Russo as 'liar'; Oswald or Ferrie; Garrison's 1st witnesses testify that Oswald, in late Aug or early Sept, '63, sought job at E La State Hosp, tried to regis to vote in E Feliciana Parish and that Shaw was seen in auto near regis place at time, F 7,19:1; NY accountant C J Spiesel testifies that at party in French Qr, June '63, he heard Shaw discuss assassinating Kennedy; impact of testimony lessened when he also says he was hypnotized that yr by NYC policemen and others as part of Communist conspiracy; says he was also 'hypnotized or tortured' by psychiatrist and members of acctg firm he worked for; Garrison's staff seen unaware of his background when he was brought forward as 'mystery' witness; V W Bundy Jr testifies he saw Shaw give Oswald money on shore of Lake Ponchartrain; says he is trying to break heroin habit; Shaw meet Oswald; denies having made up story in effort to reduce sentence he was serving in Mar '67; 2 men in jail with him have quoted Bundy as having said story is untrue; defense asks for mistrial following Judge Haggerty's comment on testimony of witness, New Orleans police Capt Mantello, that 'Hands Off Cuba' pamphlet shown to him by prosecution was either I taken from Oswald, Aug 9 '63, or identical' to it, F 8,18:3; trial adjourns to French Qr for search through apt houses looking for apt where Spiesel says he heard discussion of planned assassination; he indicates he found apt; earlier testified that 50-60 wild ideas in his mind; said he told Garrison and staff about long history of hypnotism; also referred to \$16-million suit he has pending against various NYC policemen and others, F 9,32:1; details on hypnosis as factor in trial; cases of Spiesel and Russo cited; Ferrie was known as hypnotist, F 10,30:4; Russo testifies that in '63 he heard Shaw and others discuss plan to kill Kennedy; says discussion was like 'bull session'; Haggerty appears to consider testimony sufficient to make out prima facie case of conspiracy; allows testimony concerning Oswald's activities after alleged conspiracy meeting, overruling defense motion that such testimony could not be admitted because state has not presented sufficient legal evidence of conspiracy; Russo's testimony is, in several specifics, contradictory to that he gave in Mar '67, when he said he was accompanied to party accompanied by girl friend, S Moffett; she denied attending party; Russo memo of meeting with Asst Dist Atty Sciambra on Feb 25 '67; in memo, which has been placed in trial record, Sciambra does not mention Russo's telling him about having overheard conspiracy discussion; Russo asserts he did tell him; says he met Oswald in mid-Sept '63 in Ferrie's apt; says Ferrie introduced him as 'Clem Bertrand', F 11,8:4; Russo testifies he told many persons he had doubts that Shaw was man he said he had conspired to kill Kennedy; says he told New Orleans police Sgt E O'Donnell, who gave him lie detector test, that if he were forced to say 'yes' or 'no' as to whether Shaw was at party where he heard conspiracy discussion, he would have to say 'no'; says he told O'Donnell that he identified Shaw positively.

Panel of 4 med experts ctdpt by Atty Gen Clark to examine secret autopsy photos of Kennedy's body confirms Warren Comm conclusion that he was killed by 2 shots from behind; rept released by Justice Dept will be used by dept to try to block Dist Atty Garrison from subpoenaing photos from Natl Archives; Garrison charges material will bolster his trial against Shaw by showing that Kennedy was struck by bullets from front and rear; Kennedy family repr B Marshall approves release of rept; rept says bullet that entered Kennedy's neck at back left trail of his lung and windpipe and exited from front of his neck; this contradicts charges by some persons that front neck wound might have been entrance wound; rept says head wounds were caused by bullet that fragmented after entering from rear and to Kennedy's right; this produced explosive fracture of right side of skull as it emerged from head, wound that some persons say was caused by shot from front; Clark conducted original autopsy; experts who conducted study are Profs W H Carnes, R H Morgan, A R Murwitz, Md Chief Med Examiner Fisher; in its report, Justice Dept says it agrees with Kennedy family that autopsy material should not be seen by other than authorized Govt personnel until '71 and that material will be seen after that only by med experts or scholars; also released is 2d rept by autopsy drs citing error in original autopsy rept that created doubts that 1 bullet struck Kennedy from above and behind and exited from his throat; Garrison aide says rept does not satisfy them, Ja 17,1:8; text of discussion and summary of conclusions, Ja 17,17:1; subpoena autopsy X-rays and photos from Natl Archives; says he will reconsider if Garrison produces evidence that his subpoena is not 'fishing expedition'; says Justice Dept rept by 4 experts seriously questions Garrison's contentions; Garrison aide holds not have photo of entrance wound in front; Halleck witness law contention that under reciprocal interstate New Orleans, but cannot obtain physical evidence; Archives releases autopsy data; says Shaw will not be tried unless data are released, Ja 18,25:2; speculation after his office asks for indefinite delay in trial; announcement that his office is not ready for trial catches New Orleans by surprise in view of Garrison's past statements, Ja 19,27:1; Garrison's staff reverses self and withdraws request for trial delay, Ja 21,19:1; Shaw trial opens; jury selection begins; 17 witnesses subpoenaed by prosecution; defense; 6 overt acts in furtherance of conspiracy that prosecution alleges outlined; Garrison appears in ct, Ja 22,16:3; jury selection continues, Ja 23,55:1; Judge Haggerty arranges for up to 1,000 extra veniremen to be available; Garrison subpoenas 6 more witnesses, Ja 24,44:4; jury selection continues; Justice Dept to let